

UNITED STATE DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

RONALD STEVEN MYERS and	)	
GEORGE MYERS,	)	
Plaintiffs,	)	
	)	No. 3:11-CV-380
	)	(VARLAN/GUYTON)
V.	)	
	)	
THE PEOPLES BANK OF EWING,	)	
Defendant.	)	

**ORDER**

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and the Scheduling Order. The Court held a conference on January 4, 2013, to address pending discovery disputes in this case. Attorney Russell Egli was present representing Plaintiffs Ronald Myers and George Myers. Attorneys John Winemiller and Lane McCarty were present representing the Defendant.

At the conference, counsel for the Defendant stated that documents, which the Defendant maintains are privileged, were inadvertently disclosed to counsel for the Plaintiff. The Court agreed to review these documents *in camera*. The Court has reviewed these documents, and the Court finds:

1. Email entitled "Myers Payoff," sent December 3, 2010, Bates Stamp- M/TPB000588:

The Court finds that this document is not protected by the attorney-client privilege, nor is it protected from disclosure by the work-product doctrine. Counsel for the Plaintiff may retain the copy of this document that was inadvertently disclosed to him.

2. Memo to File, dated March 15, 2010, Bates Stamp-M/TPB000229-000230: The Court finds the document is not protected by the attorney-client privilege. The Court finds, however, that portions of this document are protected by the work-product doctrine. The Court has redacted the portions of the document it finds are protected by the work-product doctrine. Counsel for the Plaintiffs **SHALL DESTROY** any emails, electronic files, or copies of this document he has in his possession. He may incorporate the redacted copy of this document that is attached to this Order as part of the discovery produced by Defendant in this case.

**IT IS SO ORDERED.**

ENTER:

/s H. Bruce Guyton  
United States Magistrate Judge